

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

GEORGE HAWKINS

Plaintiff,

v.

GLENN YOUNGKIN, in his official
capacity as Governor of Virginia, and
KELLY GEE, in her official
capacity as Secretary of the Commonwealth
of Virginia

Defendants.

Civil Action No. 3:23-cv-00232

**MEMORANDUM IN SUPPORT OF JOINT MOTION FOR LEAVE TO FILE JOINT
STIPULATION OF UNDISPUTED FACTS OR, IN THE ALTERNATIVE, PLAINTIFF’S
REQUEST FOR PAGE EXTENSION**

The parties respectfully move this Court for leave to file a Joint Stipulation of Undisputed Facts (“JSUF”) in connection with their cross-motions for summary judgment due this Wednesday, February 14, 2024. The parties have worked cooperatively on 9.5 pages of undisputed facts and believe that submitting these undisputed facts will facilitate judicial efficiency and avoid duplication of factual contentions between the parties’ simultaneously filed cross-motions and supporting memoranda.

Local Civil Rule 56 requires the parties to list “all material facts as to which the moving party contends there is no genuine issue . . .” Notwithstanding LCR 56, the parties respectfully request that this Court grant them leave to file the JSUF and rely upon the undisputed facts contained therein in support of their cross-motions for summary judgment. Plaintiff and Defendants may differ somewhat on which facts in the JSUF are material to the resolution of this case and so will reference and incorporate by number the JSUF facts upon which they are relying.

Finally, the parties anticipate that they will also include additional undisputed facts in their summary judgment briefs subject to the LCR 56 process. A proposed order is attached to this Joint Motion as Exhibit A.

Though the parties believe this proposed JSUF will make the resolution of these cross-motions for summary judgment more efficient, if the Court denies this request, then, in the alternative, Plaintiff moves for leave to file a brief in support of his motion for summary judgment of no more than thirty-five (35) pages. Defendants do not oppose this request.

Dated: February 12, 2024

Respectfully submitted,

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